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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,348	02/26/2002	Pasi Laurila	P 290657	9575
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PILLSBURY WINTHROP LLP 1600 TYSONS BOULEVARD McLEAN, VA 22102			EXAMINER IQBAL, KHAWAR	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/082,348	Applicant(s) LAURILA ET AL.	
	Examiner Khawar Iqbal	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2006.  
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23,25 and 27-30 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-23,25 and 27-30 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7-11-06</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Reassignment Affecting Application Location***

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1,13,25 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Regarding claims 1,13,25 and 31, the limitation "transmitting subscriber data from the terminal to said subscriber database to modify the subscriber database contents " is indefinite. Since subscriber data is already present in the subscriber database, the claimed limitation does not make it clear whether a different subscriber data or the same subscriber data needs to be transmitted from the terminal to said subscriber database. It appears that a different subscriber data is transmitted from terminal to said subscriber database to modify the subscriber database contents.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-11,14-22,25,27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Leung et al (6466964).

6. Regarding claim 1 Leung et al teaches a method of providing telecommunication services in a telecommunication system comprising at least one terminal, a serving network providing the terminal with services, and at least one bearer network in functional connection with the serving network, the method comprising (figs. 1-13):

creating at least one database comprising subscriber data, from which there is a functional connection to the bearer network (col. 7, line 62-col. 8, line 16);

establishing a connection between the serving network and the terminal being established by means of a subscriber application comprised by the terminal (col. 7, line 62-col. 8, line 16, see fig. 5);

arranging communication between the terminal and said subscriber database by internet Protocol (IP) based data (col. 7, line 62-col. 8, line 16);

performing automated checking of the right of the terminal to use said subscriber database (col. 15, line 45-col. 16, lines 15);

automatically transmitting from the subscriber database subscriber data from said subscriber database to the terminal, to the serving network, or to the terminal and the serving network in response to the terminal having the right to use said subscriber database (col. 15, line 45-col. 16, lines 15); and

providing the terminal with services according to at least said transmitted subscriber data (col. 15, line 45-col. 16, lines 15); and

transmitting subscriber data from the terminal to said subscriber database to modify the subscriber database contents (col. 15, line 45-col. 16, lines 15).

Regarding claim 13 Leung et al teaches a telecommunication system comprising at least one terminal, a serving network providing the terminal with services, and at least one bearer network in functional connection with the serving network, wherein the bearer network is configured to create at least one database comprising subscriber data, a functional connection being configured between said at least one subscriber database and the bearer network (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

the terminal and the serving network are configured to establish a connection by means of a subscriber application comprised by the terminal (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

the terminal and the serving network are configured to arrange Internet Protocol base a data transmission communication between the terminal and said subscriber database (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

said subscriber database is configured to check the right of the terminal to use said subscriber database (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

automatic submission of subscriber database is configured in the system from the subscriber database to the terminal, serving network or to the terminal and serving network in response to the terminal having the right to use said subscriber database;

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service provision for the terminal is configured in the system in accordance with at least said transmitted subscriber data (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15); and

transmitting subscriber data from the terminal to said subscriber database to modify the subscriber database contents (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 25 Leung et al teaches a terminal device for a telecommunication system, wherein the terminal is configured to establish a connection with a serving network by a subscriber application comprised by the terminal (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

the terminal is configured to communication with the subscriber database by Internet protocol base data transmission (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

the terminal is configured to transmit identification information to said subscriber database (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

the terminal is configured to receive subscriber data related to said subscriber database from the subscriber database as an automatic result of automated checking to confirm the right of the terminal to use said subscriber database (col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

the terminal is configured to transmit subscriber data to said subscriber database to modify the subscriber database contents (col. 15, line 45-col. 16, lines 15).

Regarding claims 2,14,26 Leung et al teaches wherein said subscriber data to be transmitted comprise a subscriber identifier (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 3,15,27 Leung et al teaches wherein said subscriber data to be transmitted to the serving network comprise a subscriber identifier according to said subscriber database; said subscriber identifier is associated in the serving network with the identifier of the subscriber application comprised by the terminal; the terminal is identified outside the serving network on the basis of said subscriber identifier; and data to the subscriber of said subscriber database are directed in the serving network to the terminal (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 4,16,28 Leung et al teaches wherein the address of said subscriber database, such as an IP address, is transmitted from the terminal to the serving network; and a connection is established from the terminal to said subscriber database on the basis of the address of said subscriber database (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 5,17,29 Leung et al teaches transmitting location information about the terminal to at least one bearer network; and transmitting data directed to the subscriber of said subscriber database to the serving network on the basis of said location information (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 6,30 Leung et al teaches wherein said subscriber data comprise information about the services to be provided for the subscriber (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 7,18 Leung et al teaches wherein said subscriber data comprise the subscriber's personal data (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 8,19 Leung et al teaches wherein services of the bearer network are activated for use for the terminal by means of said transmitted subscriber data (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 9,20 Leung et al teaches wherein the information about said subscriber database to be used is transmitted from the terminal to the serving network (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 10,21 Leung et al teaches arranging the subscriber data in said subscriber database to be modified by the terminal and/or the bearer network (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claims 11,22 Leung et al teaches wherein said telecommunication system is a mobile communication system; and said subscriber database comprises data that are at least partly the same as in the subscriber application (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

Regarding claim 31 Leung et al teach a network element device for a telecommunication system, the network element comprising a subscriber database comprising subscriber data, wherein the network element device is configured to



communicate with a terminal by internet Protocol based data transmission (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15);

the network element device is configured to check the right of the terminal to use the subscriber database (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15); and

the network element device is configured to transmit subscriber data from the subscriber database to the terminal, to a serving network, or to the terminal and the serving network in response to the terminal having the right to use said subscriber database (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15); and

the network element device is configured to receive subscriber data from the terminal to said subscriber database to modify the subscriber database contents (abstract, col. 7, line 62-col. 8, line 16, col. 15, line 45-col. 16, lines 15).

7. Claims 12, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leung et al (6466964) further in view of Oh (6519458).

8. Regarding claims 12,23 Leung et al does not specifically teach wherein the connection between the terminal and said subscriber database is established by using WAP technology.

In an analogous art, Oh et al teaches wherein the connection between the terminal and said subscriber database is established by using WAP technology (col. 3, lines 3342, col. 5, lines 58-65). The WAP is a protocol, which is being diversified and standardized in various modes, that enables the mobile terminal itself to carry out an Internet service, facsimile service, electronic mail service and TCP/IP connection,

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through wireless connection. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Leung et al by specifically adding features the terminal and the subscriber database is established by using WAP technology in order to the IP address of an Internet application based on WAP as taught by Oh et al.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-23,25,27-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Khawar Iqbal*

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER